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Dkt. 62164/JPW/PJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Xin Qu & Judah Z. Weinberger
Serial No. : 09/657,701
Filed : September 8, 2000
For : **MODIFICATION OF POLYMER SURFACES AS
RADIOISOTOPE CARRIERS**

1185 Avenue of the Americas
New York, New York 10036
August 13, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

INFORMATION DISCLOSURE STATEMENT

In compliance with his duty of disclosure under 37 C.F.R. §1.56, applicant directs the Examiner's attention to the following references, which are listed on the accompanying form PTO-1449 (Exhibit 1). Copies of references 1-28 attached hereto as Exhibits 2-22 respectively, except for reference numbers 3, 14, 16, 17, 21, 24 and 25.

U.S. Patent Documents

1. U.S. Patent No. 5,762,903 to Park et al. (Exhibit 2)

Foreign Patent Documents

2. Foreign Patent No. WO 9917812 (Exhibit 3);

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Other Documents

3. Gruentzig AR, King SB, Schlumpf M, et al. Long-term follow-up after percutaneous transluminal coronary angioplasty. N Engl J Med 1987;316:1127-32 (Exhibit 4);
4. Nobuyoshi M. Kimura T, Nosaka H, et al. Restenosis after successful percutaneous transluminal coronary angioplasty: serial angiographic follow-up of 229 patients. J Am Coll Cardiol 1988;12:616-23 (Exhibit 5);
5. Muller DWM, Ellis SG, Topol EJ. Colchicine and antineoplastic therapy for prevention of restenosis after percutaneous coronary interventions. J Am Coll Cardiol 1991;17:26B-31B;
6. Urban P, Buller N, Fox K, et al. Lack of effect of warfarin on the restenosis rate or on clinical outcome after balloon coronary angioplasty. Br Heart J 1988;60:485-8 (Exhibit 6);
7. Wiedermann JG, Marboe C, Amols H, Schwartz A, Weinberger J. Intracoronary irradiation markedly reduces restenosis after balloon angioplasty in a porcine model. JACC 1994;23(6):1491-8 (Exhibit 7);
8. Wiedermann JG, Marboe C, Amols H, Schwartz A, Weinberger J. Intracoronary irradiation markedly reduces neointimal proliferation after balloon angioplasty in swine: persistent benefit at 6-month follow-up. JACC 1994;25(6):1451-6 (Exhibit 8);
9. Mazur W, Ali MN, Khan MM, Dabaghi SF, DeFelice CA, Paradis JP, Butler EBA, Wright E, Fajardo LFB, French A and Raizner AE. High dose rate intracoronary radiation for inhibition of neointimal formation in the stented and balloon-injured porcine models of restenosis: Angiographic, morphometric,

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and histopathologic analysis. Int J Rad Onc Biol Phys 1996;
36(4):777-788 (Exhibit 9);

10. Waksman R, Robinson KA, Crocker IR, Gravanis MB, Cipolla GD, and King SR. Endovascular low-dose irradiation inhibits neointima formation after coronary artery balloon injury inswine: A possible role for radiation therapy in restenosis prevention. Circulation 1995;91(5):1533-9 (Exhibit 10);
11. Verin V, Popowski Y, Urban P, et al. Intra-arterial beta irradiation prevents neointimal hyperplasia in a hypercholesterolemic rabbit restenosis model. Circulation 1995;92:2284-90 (Exhibit 11);
12. Condado JA, Waksman R, Gurdziel O, et al. Long-term angiographic and clinical outcome after percutaneous transluminal coronary angioplasty and intracoronary radiation therapy in humans. Circulation 1997;96:727-32 (Exhibit 12);
13. Teirstein PS, Massullo V, Jani S, et al. Catheter-based radiotherapy to inhibit stenosis after coronary stenting. N Engl J Med 1997; 336:1697-703 (Exhibit 13);
14. Verin V, Urban P, Popowski Y, et al. Feasibility of intracoronary B-irradiation to reduce restenosis after balloon angioplasty, a clinical pilot study. Circulation 1997;95:1138-44 (Exhibit 14);
15. Weinberger J. Intracoronary radiation using radioisotope solution-filled balloons. Herz 1998;23:366-72 (Exhibit 15);

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16. Muzzarelli RAA. Chitin. Pergamon, Oxford 1977;
17. Guibal E. Dambies L, Milot C, Roussy J. Influence of polymer structural parameters and experimental conditions on metal anion sorption by chitosan. Polym Intern 1999;48(8):671-80 (Exhibit 16);
18. Nishimura Y, Katuta I, Takeda H, et al. Effect of natural chelating agents on the intestinal-absorption of radiostrontium in rats. Radiation Protection Dosimetry 1994;53 (1-4):331-34;
19. Park KB, Kim YM, Kim JR. Radioactive chitosan complex for radiation therapy U.S. Patent No. 5,762,903;
20. Qu X, Weinberger J. Novel B-emitting poly(ethylene terephthalate) surface modification. J Biomed Material Research In press (Exhibit 17);
21. Qu X, Wirsén A, Albertsson AC. Structural change and swelling mechanism of pH-sensitive hydrogels based on chitosan and D, L-lactic acid. J Appl Polym Sci 1999;74(13):3186-92 (Exhibit 18);
22. Qu X, Wirsén A, Albertsson AC. Synthesis and characterization of pH-sensitive hydrogels based on chitosan and D, L-lactic acid. J Appl Polym Sci 1997;74(13):3193-02 (Exhibit 19);
23. Rochery M, Lam TM, Crighton JS. FTIR&ATR analyses on a polypropylene (PP) surface after plasma treatment in the study of chitosan surface grafting to improve PP dyeing behavior. Macromol symp 1997; 119:277-82;

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24. Pioletti DP, Takei H, Lin T, et al. The effect of calcium phosphate cement particles on osteoblast functions. Biomaterials 2000:21:1103-14 (Exhibit 20);
25. Varma HK, Yokogawa Y, Espinosa FF, et al. Porous calcium phosphate coating over phosphorylated chitosan film by a biomimetic method. Biomaterials 1999:20:879-84 (Exhibit 21);
26. Lewis RE, Tercho GP, Walsh PR. Intra-coronary radiation devices containing Ce-144 or Ru-106. PCT Publication No. WO 99/17812;
27. Roberts GAF, Chitin Chemistry, Macmillan, Houndmills 1992; and
28. Zamora PO, Osakis, Som P, Ferretti JA, Choi JS, Hu C, Tsang R, Kuan HM, Singletary S, Stern R A, Oster ZH, Radiolabeling Brachytherapy Sources with Re-188 through Chelating Microfilms: Stents, Journal of Biomedical Materials Research, Vol 53, No. 4 pp 244-251 (May 11, 2000) (Exhibit 22);

Applicants believe that these references do not anticipate or render obvious applicants' claimed invention.

Because this Information Disclosure Statement is being submitted before the mailing of a first Office Action on the merits, no fee is believed to be due. However, in the event that a first Office Action on the merits has been mailed which has not yet reached

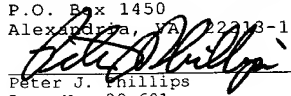
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applicant's attorney, or has not yet been connected to the file in applicant's attorney's office, applicant hereby requests for consideration of this Information Disclosure Statement, pursuant to 37 C.F.R. §1.97(c) and authorize the Office to Charge Deposit Account No. 03-3125 the amount of the petition fee in accordance with 37 C.F.R. §1.17(p). In the event that a Notice of Allowance has been mailed, applicant hereby petitions, pursuant to 37 C.F.R. §1.97(d), for consideration of this Information Disclosure Statement, and authorize the Office to charge Deposit Account No. 03-3125 the amount of the fee in accordance with 37 C.F.R. §1.17(i).

Respectfully submitted,


I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

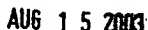
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P.O. Box 1450
Alexandria, VA 22313-1450


Peter J. Phillips
Reg. No. 29,691

Date

8/13/03


John P. White
Registration No. 28,678
Peter J. Phillips
Registration No. 29,691
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400



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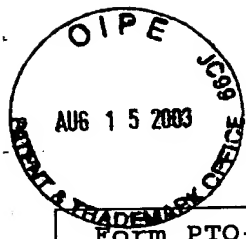
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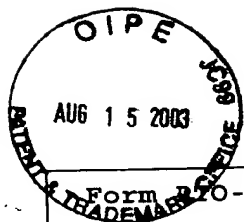
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Exhibit 1



Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 0575-62164/JPW/PJP	Serial No. 09/657,701
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)				Applicants Xin Qu & Judah Z. Weinberger	
				Filing Date September 8, 2000	Group
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)					
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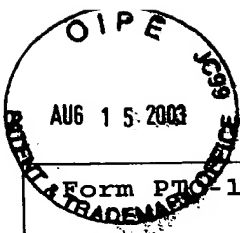
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